

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

Minutes of Meeting

June 10, 2005

Attendance:

Robert Clegg, Chairman, Department of Safety
Wes Golomb, Public Utilities Commission, State energy conservation code office
George Maihos, NH Electricians Board, licenses master electrician
Med Kopczynski, NH Municipal Association
John Tuttle, NH Home Builders Association, Architectural designer – residential
Wayne A. Richardson, NH Building Officials Association, municipal building official
James Petersen, PE, Board of Engineers, licensed mechanical engineer
Jerry Tepe, Board of Architects, licensed architect
Tyler Carlisle, Board of Engineers, licensed electrical engineer
Mark Weissflog, NH Electrical Contractors Business Assoc., licensed master electrician

Excused:

Thomas S Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design
Tedd Evans, Board for licensing and regulation of plumbers, licensed master plumber
Joel Fisher, Board of Engineers, licensed structural engineer
Fred Baybutt, Associated General Contractors, building contractor – non-residential bldgs.
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business

Absent:

Mark Tibbetts, NH Association of Fire Chiefs, municipal volunteer fire chief

Guests:

Marta Modigliani, Attorney, Department of Safety, Office of the Commissioner
J. William Degnan, State Fire Marshal, Division of Fire Safety

Chairman Clegg declared a quorum and called the meeting to order.

GENERAL MEETING:

Adoption of meeting minutes from May 13, 2005:

Jerry Tepe made the **Motion** to adopt the meeting minutes as written for the May 13, 2005 meeting. Tyler Carlisle **Seconded** the motion. There being no discussion – vote was taken and passed **Unanimously**.

OLD BUSINESS:

Smart Codes

Mike Santa will report at the next Board meeting.

Fire Code Amendments status:

Fire Marshal Degnan reported to the Committee that the amendments have been submitted as discussed at the last meeting, and he also ran them by the Fire Control Board, and as anticipated, there was no problem with that as well. Section 30 was brought up about a stair within the dwelling and basically they referenced the same stair configuration that was asked to be amended on single family dwellings. Jerry Tepe asked to whom it was submitted. The Draft was submitted to Marta to put in proper format for JLCAR. And from there, a Public Hearing will be scheduled.

Legislation Update:

Chairman Clegg told the Fire Marshal that there was going to be a push to put on the IBC Code for single family residential. What they want to get going is a state-wide program going for residential without property maintenance. Chairman Clegg suggested that this go in as a separate item.

The Statute of Limitations is on the table – (HB 443) and it was to correct a deficiency they found during a fire investigation in Belmont. This might have an impact on the State Building Code at some point in the future. If the FMO went to investigate something and found a violation, they would still have to prove that it was knowingly done in violation of the code, and that the continuity was there from the time the work was done till the time the FMO discovered it and that the people have not changed that device. Jerry Tepe noted this could also impact on design professionals liability and their statute of limitations.

Wayne Richardson brought up that when the next set of Codes is adopted, the Board needs to look at the language and the statute(s) that allows the local communities to modify the Code. It needs to be written in there specifically – that it must be done by local ordinance. A lot of local building inspectors put their own unique twist on the Codes and a lot of them is not through locally adopted ordinance. Contractors and mechanics don't have a leg to stand on.

State Building Code Web-Site:

Marta reported that she had not had a chance to meet with Margaret McQueeney to go over the web-site, but has received comments on the photos resent to everyone.

Townhouse exemptions IBC and IRS:

Med Kopczynski reported that Mike Santa asked for a written interpretation from ICC, which he did receive. And it confirmed what they thought the Code said, essentially, the issue is that the International Code does speak to height and area limitation for the buildings that are contained within that Code. Certain types of buildings it references over to the International Residential Code, the IRS which are one and two-family, and townhouses. The definition of townhouse can be construed as a rather large, residential buildings which may or may not meet what people genuinely believe a townhouse is. And there is concern that you can build some rather large apartment buildings under the IRC by calling them townhouses. Definition of a townhouse is:

"a single family dwelling unit, constructed in a group of three (3) or more attached units, in which each unit extends from the foundation to roof, and with an open space on at least 2-sides."

The IBC itself says it can be 3 stories high. The definition that has been used to fix this in other places, should we choose to do so is:

"a single family dwelling unit, constructed in a group of three (3) or more attached units with property lines, separating each unit, in which each unit extend from the foundation to roof, and with an open space on at least 2-sides."

Another possibility is to adopt portions of the IRC, but this may conflict with the enabling legislation.

Financial Disclosure Forms:

Members that have NOT submitted – do so to Evvy this week.

NEW BUSINESS

Summer hiatus:

Tyler Carlisle made the **Motion** not to meet for a regular scheduled meeting during the summer months of July and August, unless, there was an urgent matter to be brought before this Board, at which time it will be determined at the call of the Chair. Wes Golomb **Seconded** the motion. Vote taken was **Unanimous** and so declared by the Chair.

November 11, 2005 (regular scheduled meeting date):

As this date is a Holiday, Evvy will schedule a new date and will email it to the Members of the Board. (Note meeting moved to November 4)

OTHER BUSINESS:

None.

ADJOURNMENT:

Med Kopczynski made the **Motion** to adjourn. **Motion** was duly **Seconded**. Vote was **Unanimous** in favor – and so declared by the Chair.

Future Meeting Dates: September 9, October 14, November 4 and December 9
(Board will be in recess during July and August)